

1421

SHIRLEY V. REMMERT, PRO SE
990 Berkeley Avenue
Menlo Park, CA 94025
Tel: 650-921-8820
Message: 650-521-0571

FILED
08 APR 15 PM 12:25
RICHARD W. WIEKING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Shirley V. Remmert;
Eva D. Al-Zaghari,
Plaintiffs,

PLAINTIFFS' OFFER OF EVIDENCE FOR
TEMPORARY RESTRAINING ORDER
AGAINST PROBATE COURT ORDERS
INFRINGING ON CIVIL LIBERTIES

v.

DECLARATION

RE REMMERT'S PETITION FOR WRIT OF
HABEAS CORPUS

James P. Fox,
District Attorney
Of San Mateo County;
Jerry Brown,
Attorney General
Of the State of California,
Defendants

CASE NO. C-08-1644 CRB;
C-08-1645 CRB

HON. CHARLES R. BREYER

We, Plaintiffs Shirley V. Remmert and Eva D. Al-Zaghari, hereby file a list of
exhibits and witnesses for trial on the motion for a temporary restraining order of Probate
Court orders in Case No. 108876 LPS, *In the Matter of Eva D. Al-Zaghari* and No.
114796, *San Mateo County Public Guardian v. Shirley V. Remmert*.

DECLARATION

STATE OF CALIFORNIA
SAN MATEO COUNTY

I, Plaintiff Shirley V. Remmert, can competently testify as to the facts in this
motion, as I am knowledgeable about those matters and have personal experience therein.

1
2 As for those matters based on reliable information, I believe them to be true. I declare
3 that these statements are true and correct under the penalties for perjury of the federal
4 laws.

5
6 DATE: *April 15, 2008*

7
8 Respectfully Submitted By:

9
10 *Stanley V. Rembert*
11 Plaintiff

1
2 LIST OF EXHIBITS IN SUPPORT OF A TRO

3 Exhibit A

4
5 DR. MARY MARGARET FLYNN, M.D., San Mateo County psychiatrist, wrote
6 in a medical record four months before she conserved Eva Al-Z.: Patient “ does not meet
7 legal criteria for conservatorship...” (November 17, 2004)

8 Exhibit B

9
10 The psychiatrist wrote the following day that she spoke to a Deputy Public
11 Guardian for my mother, Julia Venoya, and falsely determined that I “ more focused on...
12 suing the probate conservators”.

13 Exhibit C

14
15 PARAMEDICS FROM THE MENLO PARK FIRE PROTECTION DISTRICT
16 found that Eva Al-Zaghari was not an emergency case, even though Deputy Sheriff Sean
17 O'Donnell tried to make it a “5150” (cause for detention by psychiatrists under Welfare
18 and Institutions Code sec. 5150) (March 26, 2005)

19 Exhibit D

20
21 PARAMEDICS FROM THE AMERICAN MEDICAL RESPONSE (AMR)
22 AMBULANCE reported back to “911 PUBLIC SAFETY COMMUNICATIONS OF
23 THE SHERIFF’S OFFICE that Eva Al-Z. is not a “5150”, but AMR did drive her to
24 Kaiser Hospital, at whose insistence, I do not know (March 26, 2005).

25 Exhibit E

26
27 A letter from U. S. PROBATION OFFICER ESTHER M. DAVIS states that Eva
28

1 Al-Z. was deemed competent by the federal court. Her competency for the successful
2 completion of the probation program for an unrelated misdemeanor in 2002 was
3 concurrent with the county court's issuance of a conservatorship order on June 7, 2005.
4

5 Exhibit F

6 Deputy County Counsel Peter K. Finck and Deputy County Counsel Judith A.
7 Holiber insisted on making the conservatorship case a criminal one: *People of the State of*
8 *California v. Eva D. Al-Zaghari*, but there are no law enforcement reports citing Eva Al-
9 Z. for a new crime linked to a conservatorship investigation. The incident in 2002 was
10 her only scrape with the law (Exhibit E).
11

12 Pending Evidence for Preliminary Injunction, if Granted

13 Re: No hearings with Eva Al-Z.'s or my Opportunity for Opposition
14

15 There is no evidence that Eva Al-Z. had a hearing for forcible drugging with
16 psychosis-inducing, mind-altering drugs. She had no hearing under the LPS Act, which
17 allows in effect ownership of her person and estate. She had no hearing to determine the
18 truthfulness of reports that she abuses drugs, or is suicidal. Private Defenders and others
19 will be examined.
20
21

22 WITNESS FOR TRO HEARING

23 COMMANDER TERRI MOLAKIDES OF THE MENLO PARK POLICE will
24 bring the record of a criminal complaint that Eva Al-Z. (then Eva D. Remmert) and I
25 made concerning an assault against her. She was drugged, raped, and brutalized in this
26 still unsolved crime. I believe that the blunders in the conservatorship case are actually
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2 intentional. Her life is in danger, as criminals would like to see her mind destroyed.
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U
11/06/04
PCC

U19

PCP

SHMC ADM


11/18/2004 4:21 PM Thursday

Psychiatry Note: Eva Alzaahari. Room 303-1

O: Met with patient and her mother. MSE: Patient I believe for the first time since admission is dressed in something other than hospital gown. She is alert and oriented. She avoids eye contact. Most of her brief responses are in the altered squeaky voice. She acknowledges she is looking forward to discharge tomorrow. She appears very internally preoccupied but was able to remain through the entire interview. She said she would take her medications. She knows she has diabetes. She did not know she has hypertension. She has no insight and grossly impaired judgment. She has not engaged in any further assaultative behaviors. She continues to frequently "hide" in the bathroom. Discussed with mother the glucoscan, monitoring BP, taking geodon. I called and spoke with Dr Verby. Patient has appointment Monday Nov 22, 2005 with him and the week of Dec 1 with internist See discharg summary sheet.

A: no change in Dx

P: discharge tomorrow to mother's care and with physicians as noted in chart. I am
→ unable to conserve this patient, as she does not meet legal criteria for conservatorship
→ under the LPS law. In addition she is more anxious in the hospital. If her mother will indeed follow through and give the patient her antipsychotic medicine as well as meds for her medical problem prognosis is better. But unfortunately mother's judgment has not been particularly good in the past, although she is verbalizing compliance with giving her daughter the medicine. And monitoring her glucose and HBP.



Mary Margaret Flynn MD

1033545

U

U19

11/05/04

PCP

PCC

33085031

SMC ADM

11/17/2004 3:21 PM Wednesday

Psychiatry Note: Eva Al-Zaghari, Room 303-1

S: Yes, I will.

O: Patient was able to speak in a more normal tone of voice for about three sentences. Then she spoke at some length and I couldn't understand a word she said and she diminished the sound of her voice to where she was sub vocalizing, and then just moving her lips to her self. She avoided eye contact. She is internally preoccupied and appeared to be hallucinating throughout the interview. She was less anxious. She was able to provide some information in normal tone of voice e.g. her birthday. She willingly signed forms for us to send discharge summary to her internist and to Dr. Verby. She clearly said she is glad to be going home. She became more anxious and subvocalized more when I attempted to talk with her about DM and hypertension. She has no insight and grossly impaired judgment.

Collateral contact: The probate conservator of Eva's maternal grandmother who lives in home with Eva and Mrs. Remertz called. The grandmother is Eva's mother's mother. And Eva's mother's father (the maternal grandfather) owns the home and wants to evict Eva and Eva's mother, his daughter from the home. Eva's mother, Mrs. Remertz has been managing the wealth and properties of her father and mother. The guardianship of the grandmother wants the grandmother moved to a skilled nursing facility and is hoping to be able to protect the assets of the family, which are apparently dwindling secondary to Eva's mother's (Mrs. Remertz's) business practices and poor judgments. The maternal grandmother does have paranoid schizophrenia. In talking with Mrs. Remertz, she describes another female relative with being diagnosed with schizophrenia but "she is normal now". Talked with mother today. Mother verbally agreed to give Eva the geodon and her antihypertensive and antidiabetic medication. I strongly recommended to the mother that as Dr Verby is a pediatrician and not psychiatrist that Eva get and adult psychiatrist to follow her schizophrenia. Mother herself remain NOT convinced Eva has schizophrenia or even DM and HBP but is saying she will have her take medications.

- Eva's mother is more focused on getting Eva to her visitations with her son, to suing the ←
→ probate conservators, suing g her father to remain in the house. However I cannot conserve Eva and I also don't think clinically it would be helpful to take Eva away from the family necessarily, particularly if her mother will follow through with the medical and psychiatric follow p I will be writing out and recommending to her, Dr Verb, The internist, the psychologist and all the other collateral contacts this stay.

A: no change in DX

P: Mrs. Remertz received instruction today on how to do the finger sticks. She also expressed concern about Eva's hirsute, and endocrine and Ob-Gyn problems.

Mary Margaret Flynn MD

A FDID <u>41050</u> State <u>CA</u> Incident Date <u>03/26/2005</u> Station <u>5</u> Incident Number <u>05-0001781</u> Exposure <u>000</u>		NFIRS -1 Basic	
B Location* <input type="checkbox"/> Check this box to indicate that the address for this incident is provided on the Wildland Fire Census Tract <u> </u> - <u> </u> Module in Section 8 "Alternative Location Specification". Use only for Wildland fires.			
<input checked="" type="checkbox"/> Street address <u>990</u> <u>BERKELEY</u> <u>AV</u> Number/Milepost Prefix Street or Highway Street Type Suffix <input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Rear of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions <u>Menlo Park</u> <u>CA</u> <u>94025</u> Apt./Suite/Room City State Zip Code Cross street or directions, as applicable			
C Incident Type * <u>321</u> EMS call, excluding vehicle Incident Type		E1 Date & Times Midnight is 0000 Check boxes if data are the same as Alarm ALARM always required Date Alarm <u>03/26/2005</u> <u>15:05:05</u> Arrival <u>03/26/2005</u> <u>15:08:13</u> Controlled <u> </u> <u> </u> <u> </u> <u> </u> Last Unit <u>03/26/2005</u> <u>15:21:32</u> Cleared	
D Aid Given or Received* 1 <input type="checkbox"/> Mutual aid received 2 <input type="checkbox"/> Automatic aid recvd. 3 <input type="checkbox"/> Mutual aid given 4 <input type="checkbox"/> Automatic aid given 5 <input type="checkbox"/> Other aid given <input checked="" type="checkbox"/> None		E2 Shift & Alarms Local Option <u>B</u> <u>1</u> Shift or Alarms District Platoon E3 Special Studies Local Option Special Study ID# Special Study Value	
F Actions Taken * <u>33</u> Provide advanced life Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3)		G1 Resources * <input checked="" type="checkbox"/> Check this box and skip this section if an Apparatus or Personnel form is used. Apparatus Personnel Suppression <u> </u> <u> </u> EMS <u>0001</u> <u>0003</u> Other <u> </u> <u> </u> <input type="checkbox"/> Check box if resource counts include aid received resources.	
G2 Estimated Dollar Losses & Values LOSSES: Required for all fires if known. Optional for non fires. None Property \$ <u> </u> <u>000</u> <u>000</u> Contents \$ <u> </u> <u>000</u> <u>000</u> PRE-INCIDENT VALUE: Optional Property \$ <u> </u> <u>000</u> <u>000</u> Contents \$ <u> </u> <u>000</u> <u>000</u>			
Completed Modules <input type="checkbox"/> Fire-2 <input type="checkbox"/> Structure-3 <input type="checkbox"/> Civil Fire Cas.-4 <input type="checkbox"/> Fire Serv. Cas.-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> HazMat-7 <input type="checkbox"/> Wildland Fire-8 <input type="checkbox"/> Apparatus-9 <input type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11		H1* Casualties <input type="checkbox"/> None Deaths Injuries Fire <u> </u> <u> </u> Service <u> </u> <u> </u> Civilian <u> </u> <u> </u> H2 Detector Required for Confined Fires. 1 <input type="checkbox"/> Detector alerted occupants 2 <input type="checkbox"/> Detector did not alert them U <input type="checkbox"/> Unknown	
H3 Hazardous Materials Release N <input type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas: slow leak, no evacuation or HazMat actions 2 <input type="checkbox"/> Propane gas: <21 lb. tank (as in home BBQ grill) 3 <input type="checkbox"/> Gasoline: vehicle fuel tank or portable container 4 <input type="checkbox"/> Kerosene: fuel burning equipment or portable storage 5 <input type="checkbox"/> Diesel fuel/fuel oil: vehicle fuel tank or portable 6 <input type="checkbox"/> Household solvents: home/office spill, cleanup only 7 <input type="checkbox"/> Motor oil: from engine or portable container 8 <input type="checkbox"/> Paint: from paint cans totaling < 55 gallons 0 <input type="checkbox"/> Other: Special HazMat actions required or spill > 55gal.. Please complete the HazMat form		I Mixed Use Property NN <input checked="" type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly use 20 <input type="checkbox"/> Education use 30 <input type="checkbox"/> Medical use 40 <input type="checkbox"/> Residential use 51 <input type="checkbox"/> Row of stores 53 <input type="checkbox"/> Enclosed mall 58 <input type="checkbox"/> Bus. & Residential 59 <input type="checkbox"/> Office use 60 <input type="checkbox"/> Industrial use 63 <input type="checkbox"/> Military use 65 <input type="checkbox"/> Farm use 00 <input type="checkbox"/> Other mixed use	
J Property Use* Structures 31 <input type="checkbox"/> Church, place of worship 61 <input type="checkbox"/> Restaurant or cafeteria 62 <input type="checkbox"/> Bar/Tavern or nightclub 13 <input type="checkbox"/> Elementary school or kindergarten 15 <input type="checkbox"/> High school or junior high 11 <input type="checkbox"/> College, adult education 1 <input type="checkbox"/> Care facility for the aged 11 <input type="checkbox"/> Hospital Outside 14 <input type="checkbox"/> Playground or park 15 <input type="checkbox"/> Crops or orchard 19 <input type="checkbox"/> Forest (timberland) 7 <input type="checkbox"/> Outdoor storage area 9 <input type="checkbox"/> Dump or sanitary landfill 1 <input type="checkbox"/> Open land or field		341 <input type="checkbox"/> Clinic, clinic type infirmary 342 <input type="checkbox"/> Doctor/dentist office 361 <input type="checkbox"/> Prison or jail, not juvenile 419 <input checked="" type="checkbox"/> 1-or 2-family dwelling 429 <input type="checkbox"/> Multi-family dwelling 439 <input type="checkbox"/> Rooming/boarded house 449 <input type="checkbox"/> Commercial hotel or motel 459 <input type="checkbox"/> Residential, board and care 464 <input type="checkbox"/> Dormitory/barracks 519 <input type="checkbox"/> Food and beverage sales 936 <input type="checkbox"/> Vacant lot 938 <input type="checkbox"/> Graded/care for plot of land 946 <input type="checkbox"/> Lake, river, stream 951 <input type="checkbox"/> Railroad right of way 960 <input type="checkbox"/> Other street 961 <input type="checkbox"/> Highway/divided highway 962 <input type="checkbox"/> Residential street/driveway 539 <input type="checkbox"/> Household goods, sales, repairs 579 <input type="checkbox"/> Motor vehicle/boat sales/repair 571 <input type="checkbox"/> Gas or service station 599 <input type="checkbox"/> Business office 615 <input type="checkbox"/> Electric generating plant 629 <input type="checkbox"/> Laboratory/science lab 700 <input type="checkbox"/> Manufacturing plant 819 <input type="checkbox"/> Livestock/poultry storage (barn) 882 <input type="checkbox"/> Non-residential parking garage 891 <input type="checkbox"/> Warehouse 981 <input type="checkbox"/> Construction site 984 <input type="checkbox"/> Industrial plant yard Lookup and enter a Property Use code only if you have NOT checked a Property Use box: Property Use <u>419</u> <u>1 or 2 family dwelling</u> NFIRS-1 Revision 03/11/99	

D



COUNTY OF SAN MATEO
911 Public Safety Communications
Hall of Justice and Records
400 County Center, EPS-103
Redwood City, CA 94063

Date: May 26th, 2005

To: Shirley Remmert/ Citizen

From: Jaime D. Young, Manager, 911 Public Safety Communications

Subject: CERTIFICATION OF COPIES FROM ORIGINAL TRANSCRIPTS

RE: Welfare Check

Date/Time: 03/26/05

Case No: SOS050001750 ← MY MOTHER'S CASE NO, *SVR*

Location: 990 Berkeley Ave

As a fully employed member of the San Mateo County Communications Dispatch Staff, I certify that the enclosed CAD document was reproduced by me on May 26th, 2005 and that it is a true and accurate copy of the original.

Certified by:

Pauline J. Hutchens
Pauline J. Hutchens
Custodian of Records
(650) 363-4630

/1501 MISC 2BK21 ,CHECKING INSIDE 990 FOR THE VICT - THERE'S A
A 5150 SUBJ IN THE RESN
/1501 SUPP ,CODE 33 *****
/1501 SUPP ,CORRECTION BK21 ASKING FOR CODE33
/1504 OK 2BK21 , CODE 4 NO V, 33 YO FEMALE UNRESPONSIVE, LAY
IN BED, BREATHING, SEPERATE SUBJ
/1504 (TMG) \$CROSS #MNF050850010
/1505 \$CROSS #EMS05010331
/1505 MISC Chief complaint: UNRESP FEMALE
Code of response: 3
Anyone on scene with patient: Y
Age: 30 YOF
Conscious: N
Breathing: Y
Chest pain: UNK
Bleeding: UNK
/1505 (PMR) MISC 2BK21 ,CANCELLING CODE 33
/1505 ONSCNE 2BK10
/1508 ONSCNE 2BK10 , FIRE OS
/1510 SUPP TXT: BRM PD ADVISED WE DID HOUSE CHECK ,AND DO
O THAVE THE V/ // PER BRM PD COMMANDER - ADAM
THAT 997 MIGHT ALSO BE RELATED ADDR. 2S10 COI
D THE INFO , AND WILL MAKE SURE 997 ALSO GETS
ECKED
/1510 NEWLOC 2BK10 [997 BERK]
/1513 MISC 2BK10 ,THERE IS NO SUCH ADDR AS 997 BERK
/1514 ASNCAS 2BK21 \$SOS050001748 ,*****5150 NOT RELATED TO THE WI
CK ON THE 207 VICT - BUT AT SAME LOCATION.
/1516 MISC 2BK21 ,UNRESPONSIVE SUBJ WAS LOCATED IN THE RESN, WI
DOING CHECK FOR THE 207 VICT. 5150 UNRELATED
INITIAL CALL
/1518 MISC 2BK21 ,PARAMEDCS ON SCENE, HAVE DETERMINED THIS TO I
MEDICAL ONLY, CANCEL THE 5150 CASE #
/1519 CASCAS \$SOS050001748 ,CS # CANCELLED PER BK21 REQUES
EDICAL ONLY NOT 5150 PER MEDICS
/1523 MISC 2BK10 ,BRM PD ON SCENE
/1523 ASSTOS 24BRM [997 BERK] *EVA AL-25 CASE NO.*
/1523 (*****) FROM
/1535 (HEM) SUPP ,ROOM 607 AT PACIFIC INN -- THE 1065 IS THERE
/1535 (PMR) NEWLOC 2BK10 [990]
/1535 NEWLOC 24BRM [990]
/1536 \$PREMPT 24BRM
/1536 \$ASSTOS 28BRM
/1536 EXCH 24BRM 28BRM
/1536 SUPP TXT: BRM PD ADVISED THERE IS NO SUCH ADDR AS 9
BERK - BK10 CHECKED
/1537 (HEM) ASSTOS 22RCY [PACIFIC INN #RM 607]
/1537 (*****) FROM
/1541 (PMR) CLEAR 2S10
/1545 CLEAR 2B20
/1546 \$PREMPT 2BK21
/1548 CLEAR 2BK10
/1548 CLEAR 22RCY DSP: OTH
BRM PD TO HANDLE
/1548 CLEAR 28BRM
/1548 CLOSE 28BRM
/1613 MISC ,RDD 24439 03/26/05 16:12
/1613 MISC ,BRL 00002 03/26/05 16:12
/1613 MISC ,03/26/05 16:12:23 TO APC, C:GGCH, C:PCO0, C:
NO, C:BRT0 FROM BRL:

E

COPY

UNITED STATES DISTRICT COURT



**NORTHERN DISTRICT OF CALIFORNIA
PROBATION OFFICE**

**DEBRA K. AASMUNDSTAD
CHIEF U.S. PROBATION OFFICER**

Please reply to:
450 Golden Gate Ave., Ste. 17-6884
San Francisco, CA 94102
TEL: (415) 436-7541

450 Golden Gate Avenue
Suite 17-6884 ; P.O. Box 36057
San Francisco, CA 94102-3487
TEL: (415) 436-7542
FAX: (415) 436-7572

December 30, 2005

Eva Al-Zaghari
990 Berkeley Avenue
Menlo Park, CA 94025

Re: Eva Al-Zaghari
Docket No.:
SUPERVISION COMPLETION

Dear Ms. Al-Zaghari:

The purpose of this letter is to advise you that your term of _____ probation terminated on November 20, 2005. Consequently, you have fulfilled your obligation in regard to the completion of supervision as ordered by the Court.

Please remember that any financial obligations that were not paid in full continue to be an obligation that you must satisfy. Payment of any outstanding financial obligations will be pursued by the United States Attorney's Office.

Please maintain a copy of this document for your records. If our office can be of assistance to you in the future, please feel free to contact us.

Sincerely,

Esther M. Davis / 4-9-07

Esther M. Davis
U. S. Probation Officer

EMD/emd

NDC-SUPV-041 07/25/05

F

ENDORSED FILED
SAN MATEO COUNTY

APR 14 2005

Clerk of the Superior Court
By VICTORIA PARHAM
DEPUTY CLERK

THOMAS F. CASEY, III, COUNTY COUNSEL (SBN 47562)
 BY: Peter K. Finck, Deputy (SBN 81875)
 Hall of Justice and Records
 400 County Center, 6th Floor
 Redwood City, CA
 Telephone: (650) 363-4758
 Fax: (650) 363-4034

Attorneys for Petitioner

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
 IN AND FOR THE COUNTY OF SAN MATEO


 PEOPLE OF THE STATE OF CALIFORNIA

Concerning
 Eva Alzaghari
 Respondent.

LPS No.

EX PARTE
PETITION TO ESTABLISH TEMPORARY
CONSERVATORSHIP

Petitioner, the officer providing conservatorship investigation in the above-entitled matter,
 respectfully alleges as follows:

1. Beverly Cox, MD and Joe Broderick, MD, the professional persons in charge of San Mateo Medical Center, an agency providing comprehensive evaluation and/or a facility providing intensive treatment, have recommended establishment of a conservatorship for the respondent herein because they have determined that said person is gravely disabled as a result of mental disorder or impairment by chronic alcoholism and is unwilling to accept, and/or incapable of accepting, treatment voluntarily.

2. The above-named persons who have recommended conservatorship have submitted declarations stating that the respondent is in need of a temporary conservator because she is presently incapable of properly taking care of herself. Said declarations are attached hereto and incorporated herein by reference as Exhibits A, B and C.

ENDORSED FILED
SAN MATEO COUNTY

APR 14 2005

Clerk of the Superior Court
By VICTORIA PABIAN
CLERK

THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)
By: Peter K. Finck, Deputy (SBN 81875)
Hall of Justice and Records
400 County Center, 6th Floor
Redwood City, CA 94063
Telephone: (650) 363-4758
Fax: (650) 363-4034

Attorneys for Petition:

*Received by DJZ
Apr 29, 2005
in hospital*

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

↓
PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

EVA ALZAGHARI

Respondent.

LPS Case No. 108876

**ORDER APPOINTING TEMPORARY
CONSERVATOR OF THE PERSON**

Having read and considered the petition requesting appointment of a temporary conservator and supporting documents which have been filed herein, and good cause appearing therefore;

IT IS HEREBY ORDERED that DONALD R. WEIHER, LCSW, be appointed Temporary Conservator of the Person of the respondent to serve without bond, pursuant to section §5353 of the Welfare and Institutions Code, to provide the conservatee with food, shelter and care, and if necessary, require that the conservatee be detained pursuant to Welfare and Institutions Code section §5358 in a facility providing intensive treatment pending establishment of a conservatorship herein.

IT IS FURTHER ORDERED that the Temporary Conservator shall have the power to consent to for the conservatee and require conservatee to receive treatment related specifically to remedying or preventing the recurrence of the conservatee's being gravely disabled and to consent to routine medical treatment for the conservatee unrelated to the grave disability.

IT IS FURTHER ORDERED that the Temporary Conservator appointed herein is authorized to exercise those general powers specified in Chapter 5 and 6 (commencing with Section 2350 and 2400) of

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)

2 By: Peter K. Finck, Deputy (SBN 81875)

3 Hall of Justice and Records

400 County Center, 6th Floor

3 Redwood City, CA 94063

Telephone: (650) 363-4758

4 Fax: (650) 363-4034

5 Attorneys for Petitioner

6
7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF SAN MATEO



11 PEOPLE OF THE STATE OF CALIFORNIA

12 Concerning,

13 EVA AL-ZAGHARI

14 Respondent.

LPS Case No. 108876

15 **NOTICE OF HEARING**

Date: May 11, 2005

Time: 11:00 a.m.

16 **NOTICE IS HEREBY GIVEN** that Pamela F. Low, the officer providing conservatorship
17 investigation in the above-entitled matter, has filed herein a Petition to Establish Conservatorship, and an
18 Order Appointing Temporary Conservator having issued thereon, and that the same is hereby set for
19 hearing by the Court on **WEDNESDAY, May 11, 2005, 11:00 a.m., at 400 County Center,**
20 **Department 14, Courtroom 8B in Redwood City, California.**

21 **ALL PERSONS INTERESTED ARE NOTIFIED** to appear at the time and place mentioned in
22 this Notice and show cause, if any they have, why the Order should not be made. This notice is required
23 by law. This notice **does not require you to appear in court**, but you may attend the
24 hearing if you wish.

25 Dated: April 27, 2005

CLERK OF THE SUPERIOR COURT

26
27 BY: _____

Deputy Clerk

28 L:\GROUP\LPS\ESTAB\FORMS\notice of hearing.doc

LPS Case NO. 108876

NOTICE OF HEARING

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)
2 By: Peter K. Finck, Deputy (SBN 81875)
3 Hall of Justice and Records
4 400 County Center, 6th Floor
5 Redwood City, CA 94063
6 Telephone: (650) 363-4758
7 Fax: (650) 363-4034

8 Attorneys for Petitioner

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF SAN MATEO

11 PEOPLE OF THE STATE OF CALIFORNIA

LPS Case No. 108876

12 Concerning,

CITATION

13 EVA AL-ZAGHARI

Date: May 11, 2005

14 Respondent.

Time: 11:00 a.m.

15
16 THE PEOPLE OF THE STATE OF CALIFORNI

17 TO: EVA AL-ZAGHARI
18 San Mateo Medical Center
[via County mail]

*Received
June 5, 2005*

19 BY ORDER OF THIS COURT, you are required to appear before this Court at
20 400 COUNTY CENTER, DEPARTMENT 14, COURTROOM 8B in REDWOOD CITY,
21 CALIFORNIA, on WEDNESDAY, May 11, 2005, at 11:00 a.m. and then and there to show cause, if
22 any you have, why a conservator of your person and estate should not be appointed pursuant to said
23 petition.

24 This conservatorship would be established under the provisions of the Lanterman-Petris-Short
25 (LPS) ACT, §§ 5000 et seq. of the Welfare and Institutions Code. Under that code, conservatorships can
26 be established for "gravely disabled" persons. "Grave disability" means: a person, as a result of a mental
27 disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter. Welfare
28

ENDORSED FILED
SAN MATEO COUNTY

JUN 03 2005

Clerk of the Superior Court
By Jane Cogliati
DEPUTY CLERK

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)
By: Peter K. Finck, Deputy (SBN 81875)
2 Hall of Justice and Records
400 County Center, 6th Floor
3 Redwood City, CA 94063
Telephone: (650) 363-4758
4 Fax: (650) 363-4034

5 Attorneys for Petitioner
6
7

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SAN MATEO

10
11  PEOPLE OF THE STATE OF CALIFORNIA

12 Concerning,

13 EVA AL-ZAGHARI

14 Respondent.
15

LPS Case No. 108876

**OPPOSITION TO PETITION FOR WRIT OF
HABEAS CORPUS – LPS ACT**

Date: June 6, 2005

Time: 9:00 a.m.

Dept.: 28

16 I, Peter K. Finck, Deputy County Counsel, attorney for respondent in above-entitled matter
17 declare:

18 1. On April 14, 2005, petitioner was placed on a temporary conservatorship. (See Exhibit A
19 attached hereto.)

20 2. On May 2, 2005, petitioner filed a Writ of Habeas Corpus challenging her temporary
21 conservatorship. (See Exhibit B attached hereto.)

22 3. On May 4, 2005, said writ was denied. Respondent asks this court to take judicial notice
23 of the court's minutes denying said writ. (See minutes attached hereto as Exhibit C.)

24 4. On June 2, 2005, petitioner filed the within Writ of Habeas Corpus challenging her
25 placement under W&I Code § 5358.7 to be heard on June 6, 2005.

26 5. Petitioner has a jury trial to establish her conservatorship currently scheduled for June 7,
27 2005.

28 6. Judicial review to challenge her placement by Writ of Habeas Corpus "shall be in the
LPS Case NO. 108876

OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS – LPS ACT

ENDORSED FILED
SAN MATEO COUNTY

MAY - 2 2005

Clerk of the Superior Court
By MARIA J. PEÑA
DEPUTY CLERK

THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)
By: Judith A. Holiber, Deputy (SBN 180619)
Hall of Justice and Records
400 County Center, 6th Floor
Redwood City, CA 94063
Telephone: (650) 363-4747
Fax: (650) 363-4034

Attorneys for Respondent

Denied

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

↓
PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

EVA AL ZAGHARI,

Petitioner.

LPS Case No. 108876

**ANSWER AND RETURN TO VERIFIED
PETITION FOR WRIT OF HABEAS
CORPUS**

Date: May 4, 2005
Time: 9:00 a.m.
Dept: Presiding Judge

Respondent, PEOPLE OF THE STATE OF CALIFORNIA, answers the petition for Writ of Habeas Corpus as follows:

1. Respondent denies the allegation that the petitioner is being unlawfully restrained of liberty.

2. Respondent admits the allegation that the patient was admitted to the treatment facility under the authority of Welfare and Institutions Code §5250 or temporary conservatorship pursuant to §5352.1.

3. Respondent denies the allegation that the petitioner is not gravely disabled nor a danger to herself and/or others.

WHEREFORE, respondent prays that the petition for Writ of Habeas Corpus be denied.

Dated: May 2, 2005.

THOMAS F. CASEY III, COUNTY COUNSEL


Judith A. Holiber, Deputy

IN WITNESS WHEREOF

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)

2 By: Judith A. Noller, Deputy

3 State Bar No. 180619

4 Hall of Justice and Records

5 400 County Center, 6th Floor

6 Redwood City, CA 94063

7 Telephone: (650) 363-4747

8 Fax: (650) 363-4034

9 Attorneys for Petitioner

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11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 IN AND FOR THE COUNTY OF SAN MATEO

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PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

Eva Alzughuri

Respondent.

LPS Case No. 108876

ORDER EXTENDING TEMPORARY
CONSERVATORSHIP

DONALD R. WEIHER, LCSW, was appointed temporary conservator of respondent by Order of the Superior Court dated 4-14-05, and he thereafter petitioned to establish a conservatorship pursuant to the Welfare and Institutions Code.

At the hearing on the conservatorship, respondent demanded a court or jury trial on the issue of grave disability. [Welfare and Institutions Code § 5350(d)]. The Court finds that the temporary conservatorship must be extended until trial in order to protect the respondent and provide for his/her welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED that the temporary conservatorship is extended and continued in effect until termination of the trial on the issue of grave disability.

Dated: 5/11/05

TIME WAIVER: 60 DAYS

Randy B. [Signature]
JUDGE OF THE SUPERIOR COURT

To Master Calendar:

Please set trial on: M T W Th F

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